

IN THE CLAIMS

Claim 28 has been amended. Claims 27 and 28 are pending in the present application. The following is the status of the claims of the above-captioned application, as amended.

Claims 1-26 (cancelled).

Claim 27 (currently amended): A method for producing a heterologous protein comprising: (a) culturing a non-toxic, non-toxigenic, non-pathogenic *Fusarium venenatum* host cell comprising a nucleic acid sequence operably linked to a promoter encoding the heterologous protein, wherein the ~~host~~ host cell has the identifying characteristics of the non-toxic, non-toxigenic, non-pathogenic *Fusarium venenatum* host cell of ATCC 20334; and (b) isolating the heterologous protein.

Claim 28 (previously added): An isolated non-toxic, non-toxigenic, non-pathogenic *Fusarium venenatum* host cell, having the identifying characteristics of *Fusarium venenatum* ATCC 20334, comprising a nucleic acid sequence encoding a heterologous protein.